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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Clark R. Baker Jr. § Group Art Unit: 3735
Serial No.: 10/796,566 § Examiner: Toth, Karen E.
Filed: March 8, 2004 §
For: PULSE OXIMETER WITH § Atty Docket: P0426R
ALTERNATE HEART-RATE § 009103-022600US
DETERMINATION § TYHC:0069/FLE/JB

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37 C.F.R. 1.8

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October 2, 2007

Date

Jila Bakker

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31 FROM THE DECISION OF THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board of Appeals and Interferences from the final decision dated July 2, 2007, wherein the Examiner finally rejected all pending claims 1-13 of the above-referenced application.

The Commissioner is authorized to charge the requisite filing fee of \$510.00 for the Notice of Appeal, and any additional fees which may be required to the attached PTO-2038. If the PTO-2038 is missing, if the amount listed thereon is insufficient, or if the amount is unable to be charged to the credit card for any other reason, the Commissioner is authorized to charge Deposit Account No. 06-1315; Order No. TYHC:0069/FLE/BAK (P0426R).

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Respectfully submitted,

Date: October 2, 2007



Jila Bakker

Reg. No. 53,962

FLETCHER YODER

P.O. Box 692289

Houston, TX 77269-2289

(281) 970-4545